Trustees of the Freeholders and Commonalty of the **Town of Southampton** 116 Hampton Road

Southampton NY, 11968

http://www.southamptontownny.gov/trustees

Telephone: (631) 287-5717 Fax: (631) 287-5723



Edward J. Warner, Jr., Scott Horowitz, Secretary -**Eric Shultz** William Pell IV **Bruce A. Stafford** 

President Treasurer

Regular Meeting of April 17, 2017 1:00 PM

Monday, April 17, 2017 1:00 PM **Town Hall - Town Board Room** 

### I. Call to Order

1:00 PM Meeting called to order on April 17, 2017 at Town Hall - Town Board Room, 116 Hampton Road, Southampton, NY.

## II. Pledge of Allegiance

### III. Roll Call

Attendee Name	Present	Absent	Late	Arrived
President Edward J. Warner Jr.				
Secretary-Treasurer Scott M. Horowitz				
Trustee Eric Shultz				
Trustee William Pell IV				
Trustee Bruce A. Stafford				

## IV. Next Trustee Meeting

Work Session: April 26, 2017 at 3:00 p.m. Regular Meeting: May 1, 2017 at 1:00 p.m.

### V. Communications

### Letter

Letter from Nanette Gibson re: the Application of Galasso, 128 Redwood Road, Sag Harbor, New York

# VI. Executive Session – Litigation

### VII. Public Hearings

 Public Hearing (Re-Notice) for the Re-Construction of a 3' X 23' Ramp/Access Stairs, the Construction a 4' X 68' Catwalk, 3' X 6' Stairs, a 3' X 10' Ramp and a 6' X 20' Float, Secured by Four (4) Piles at the Single Family Residence Known as: 128 Redwood Road, Sag Harbor, New York (SCTM No. 0903-1-11-11) Body of Water: Sag Harbor Cove

Adjourned 3/6/2017 1:00 PM, 3/20/2017 1:00 PM

✓ Vote Record - Motion					
		Yes/Aye	No/Nay	Abstain	Absent
	Edward J. Warner Jr.				
□ Adjourned	Scott M. Horowitz				
□ Closed	Eric Shultz				
	William Pell IV				
	Bruce A. Stafford				

### VIII. Public Portion

## IX. Applications for Permits

\*\*Board of Trustees hereby waive a public hearing on the following applications because it has been determined that the following projects do not raise a significant degree of public interest or public input is not needed to aid in the decision making process\*\*

### Eric Shultz

### **Trustees Resolution 2017-96**

**Category:** Applications **Sponsors:** Eric Shultz **Department:** Trustees

**Applicant:** Suffolk County Water Authority (C/O Frederick Berg) 4060 Sunrise Hwy.,

Oakdale, New York 11769

Application for Timothy Cassidy, 87 Baycrest Avenue, Westhampton, New York (SCTM No. 0900-376-2-21) Body of Water: Dug Canal

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **Timothy Cassidy** for the installation of a 1.5" HDPE water service line to #87 Baycrest Ave., Westhampton utilizing the horizontal directional drilling method in order to mitigate any disruption to the surrounding wetland. The line will be drilled from the east side of Baycrest Ave. across the road and under canal bottom to house #87 Baycrest which is on a pininsula on the west side of the canal. The reason for this work is to provide the resident of this home with potable water that will be hooked up to SCWA's distribution system on Baycrest Ave. The work is part of a well contamination project being funded by NYDEC. The 1.5" line will be directionally drilled by SCWA's contractor, the duration of which should be no more than 2 days. Tapping of the water main will be done by SCWA crew and take place on the public street

(Baycrest Ave.) the duration of which should not exceed one (1) day. It is anticipated that traffic will be maintained at all times for the premises located at **87 Baycrest Avenue**, **Westhampton**, **New York (SCTM No. 0900-376-2-21)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2017-TRUS-96						
☐ Adopted ☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent	
☐ No Action☐ Closed	Edward J. Warner Jr.					
	Scott M. Horowitz					
☐ Reschedule ☐ Adjourned	Eric Shultz					
☐ Adjourned ☐ Acknowledged Signature	William Pell IV					
☐ Adopted as Amended	Bruce A. Stafford					
☐ Defeated						

#### **Trustees Resolution 2017-97**

Category: Dock
Sponsors: Eric Shultz
Department: Trustees

**Applicant:** Carl Governale - Seascape Marine Inc., P.O. Box 546, Manorville, New York

11949 631-878-1857

Application of Todd J. Cohen, 31 Homans Avenue, Quiogue, New York (SCTM No. 0900-383-1-24) Body of Water: Aspatuck Creek

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **TODD J. COHEN** for the construction of change existing 4" X 4" X 16' support piles to 8" X 20' green hear piles from high water mark seaward and change seasonal dock structure to a 3' X 150' fixed dock structure for the premises located at **31 Homans Avenue, Quiogue, New York (SCTM No. 900-383-1-24)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 2017-TRUS-97						
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent	
☐ No Action☐ Closed	Edward J. Warner Jr.					
	Scott M. Horowitz					
☐ Reschedule ☐ Adjourned	Eric Shultz					
☐ Adjourned ☐ Acknowledged Signature ☐ Adopted as Amended ☐ Defeated	William Pell IV					
	Bruce A. Stafford					

#### **Trustees Resolution 2017-98**

**Category:** Catwalk **Sponsors:** Eric Shultz

**Department:** Trustees of the Freeholders

Applicant: Donald Jewell, Permit Development Service Corp., 87a Main Street,

Southampton, New York 11968

Amend Permit of The Dave Bofill Trust (No. 10970), 801 Montauk Highway, Quiogue, New York (SCTM No. 900-371-1-35.1) Body of Water: Quantuck Bay

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **THE DAVE BOFILL TRUST** to modify Permit No. 10970 for the construction of a 96'  $\times$  4' seasonal catwalk, 12'  $\times$  3' ramp, 4'  $\times$  7'-6" stair, two (2) 3'  $\times$  5'-3" stairs, two (2) 8" pilings, 6  $\times$  20' floating dock and all material to be untreated wood for the premises located at **801 Montauk Highway, Quiogue, New York (SCTM No. 0900-1-035.001)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 20	17-TRUS-98					
☐ Adopted☐ Tabled		Yes/A	ye	No/Nay	Abstain	Absent
☐ No Action☐ Closed	Edward J. Warner Jr.					
	Scott M. Horowitz					
☐ Reschedule ☐ Adjourned	Eric Shultz					
☐ Acknowledged Signature	William Pell IV					
☐ Adopted as Amended☐ Defeated	Bruce A. Stafford					

#### **Trustees Resolution 2017-99**

**Category:** Bulkhead **Sponsors:** Eric Shultz

**Department:** Trustees of the Freeholders

**Applicant:** Agena Rigdon, DKR Shores, Inc. P.O. Box 488 Hampton Bays, New York

11946

# Application of East End Hospice, 1 Meeting House Lane Road, Quiogue, New York (SCTM No. 0900-370.000-0001.028.001) Body of Water: Aspatuck Creek

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **EAST END HOSPICE** for the construction to remove 185' of timber bulkhead/returns. To reconstruct 178' of bulkhead frontage (in place of existing) utilizing vinyl sheathing, raise height up to 18". To install returns in place with vinyl by installing (2) new 10' return/s. To backfill structure with 150 cy as necessary with clean sand trucked in from upland source. All disturbed areas shall be regraded and restored as necessary. The required buffer area landward of the bulkhead shall be restored as per the previous approvals and buffer area required by the Town of Southampton Environment Division. Aspatuck Creek, hamlet of Quiogue, Town of Southampton, Suffolk County, New York for the premises located at **1 Meeting House Road, Quiogue, New York (SCTM: 370.000-0001-028.001)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 20	17-TRUS-99				
☐ Adopted ☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action☐ Closed	Edward J. Warner Jr.				
	Scott M. Horowitz				
☐ Reschedule ☐ Adjourned	Eric Shultz				
☐ Adjourned☐ Acknowledged Signature☐ Adopted as Amended☐ Defeated☐	William Pell IV				
	Bruce A. Stafford				

#### **Trustees Resolution 2017-100**

**Category:** Bulkhead **Sponsors:** Eric Shultz

**Department:** Trustees of the Freeholders

**Applicant:** Inter-Science Research Associates, Inc., P.O. Box 1201, 36 Nugent Street,

Southampton, New York 11968 (631) 283-5958

Recall and Amend Trustee Resolution No. 2017-17 Michael and Emily Cavanagh, 35 Homans Avenue, Quogue, New York (SCTM No. 0900-282-1-25) Body of Water:

Aspatuck Creek (Aspatuck River)

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; and

**WHEREAS,** on February 6, 2017, Trustee Resolution No. 2017-19 authorized the President and the Secretary/Treasurer to sign the permit of **MICHAEL CAVANAGH AND EMILY CAVANAGH** for the construction of 205.33 linear feet of low sill bulkhead along with a return 15 feet in

length. Note that the proposed sill bulkhead is needed to slow down erosion at the shore line of the Michael and Emily Cavanagh property. Superstorm Sandy washed out a significant amount of material behind the existing and deteriorated timber bulkhead. The upland portions of the property continue to erode. The project sponsor has spent a considerable amount of money installing Biologs and BioMats at the shoreline. These soft solutions have been planted to Saltmarsh Cordgrass (*spartina alterniflora*). The Intertidal Marsh plantings have succeeded to a limited degree but, due to continued erosion, the nearshore environment is too deep to establish wetlands plantings. As such, the low sill bulkhead is proposed to stop the erosion and allow the wetlands plantings to become established. The purpose of the proposed low sill bulkhead is to stabilize the shoreline of the Cavanagh property for the premises located at **35 Homans Avenue, Quiogue, New York (SCTM: 900-383-1-25);** and

**WHEREAS,** Trustee Resolution 2017-19 should be amended as follows: 112 linear feet of low sill bulkhead; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **MICHAEL CAVANAGH AND EMILY CAVANAGH** for the construction of **112 linear feet of low sill bulkhead** along with a return 15 feet in length. Note that the proposed sill bulkhead is needed to slow down erosion at the shore line of the Michael and Emily Cavanagh property. Superstorm Sandy washed out a significant amount of material behind the existing and deteriorated timber bulkhead. The upland portions of the property continue to erode. The project sponsor has spent a considerable amount of money installing Biologs and BioMats at the shoreline. These soft solutions have been planted to Saltmarsh Cordgrass (*spartina alterniflora*). The Intertidal Marsh plantings have succeeded to a limited degree but, due to continued erosion, the nearshore environment is too deep to establish wetlands plantings. As such, the low sill bulkhead is proposed to stop the erosion and allow the wetlands plantings to become established. The purpose of the proposed low sill bulkhead is to stabilize the shoreline of the Cavanagh property for the premises located at **35 Homans Avenue, Quiogue, New York (SCTM: 900-383-1-25);** and

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 20:	L7-TRUS-100				
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action☐ Closed	Edward J. Warner Jr.				
	Scott M. Horowitz				
☐ Reschedule ☐ Adjourned	Eric Shultz				
□ Adjourned □ Acknowledged Signature □ Adopted as Amended □ Defeated	William Pell IV				
	Bruce A. Stafford				

# William Pell IV

### **Trustees Resolution 2017-101**

Category: General Misc Sponsors: William Pell IV Department: Trustees

**Applicant:** P.W. Grosser Consulting, 630 Johnson Avenue, Suite 7 Bohemia, NY 11716

# Application of Ram Island LLC, 45 Ram Island Drive, Tuckahoe, New York (SCTM No. 0900-109-1-3) Body of Water: Bullhead Bay

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **Ram Island LLC** for the construction of a Proposed Water Service Main (SCWA) to Ram Island Under the Creek to Ram Island; Utilizing Directional Drilling for the premises located at **45 Ram Island Road, Tuckahoe, New York (SCTM No. 0900-109-01-8)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

√ Vote Record - Trustees 201	7-TRUS-101				
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action	Edward J. Warner Jr.				
□ Closed	Scott M. Horowitz				
☐ Reschedule ☐ Adjourned	Eric Shultz				
☐ Acknowledged Signature	William Pell IV				
☐ Adopted as Amended	Bruce A. Stafford				
☐ Defeated					

## Bruce A. Stafford

### **Trustees Resolution 2017-102**

**Category:** Bulkhead

**Sponsors:** Bruce A. Stafford

**Department:** Trustees **Applicant:** Owner

Application of Charles Canavan, 30 Bay View Drive East, Sag Harbor, New York, (SCTM No. 0900-9-2-67) Body of Water: Sag Harbor Cove

**WHEREAS,** the Board of Trustees finds that the subject project is a Type II Action pursuant to 6 NYCRR Part 617 and no further environmental review is required under the State Environmental Quality Review Act; now therefore be it

**RESOLVED**, that the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton hereby authorizes the President and Secretary-Treasurer to sign the Permit of **Charles F. Canavan** for the reconstruction of a damaged concrete retaining wall 75' X 10". Plant native vegetation (non-fertilized) 10' landward from retaining wall for the premises located at **30 Bay View Drive East, Sag Harbor, New York (SCTM No. 0900-9-2-67)**; and be it

**FURTHER RESOLVED**, the following conditions shall apply:

# Subject to and conditioned upon Permittee receiving any and all approvals required pursuant to the Town Code of the Town of Southampton.

✓ Vote Record - Trustees 20	17-TRUS-102				
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
□ No Action □ Closed □ Reschedule □ Adjourned □ Acknowledged Signature □ Adopted as Amended □ Defeated	Edward J. Warner Jr.				
	Scott M. Horowitz				
	Eric Shultz				
	William Pell IV				
	Bruce A. Stafford				

### X. Resolutions

Trustees Resolution 2017-103
Category: Budget & Finance
Sponsors: Edward J. Warner, Jr.
Department: Trustees of the Freeholders

### Warrant #7 of 2017- Trustees

**RESOLVED**, per the recommendation and reviewed by the Town Comptroller, the following vendor payment warrant dated be approved in the amount of:

Warrant #7 \$634.46

**AND, BE IT FURTHER RESOLVED**, the Town Comptroller is directed to approve and execute all bank wire transfers required to fund payments associated with Warrant #7 of 2017.

√ Vote Record - Trustees 20	17-TRUS-103				
☐ Adopted ☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action	Edward J. Warner Jr.				
□ Closed	Scott M. Horowitz				
☐ Reschedule ☐ Adjourned	Eric Shultz				
☐ Acknowledged Signature	William Pell IV				
☐ Adopted as Amended☐ Defeated☐	Bruce A. Stafford				

### **Trustees Resolution 2017-104**

**Category:** Agreements, Contracts, Leases

**Sponsors:** Edward J. Warner, Jr.

**Department:** Central Purchasing and Contracts Compliance

# Authorize the Purchase of Survey and Set of Concrete Monuments from Squires, Holden, Weisenbacher and Smith

WHEREAS, a current survey and set of monuments is required in preparation for reclaiming and resurfacing of Peters Pond Lane in Sagaponack; and

WHEREAS, the Trustees have obtained three (3) quotes for this service; and

WHEREAS, the quotes have been reviewed by the Trustees and the Town Purchasing Agent;

and

WHEREAS, Squires, Holden, Weisenbacher and Smith has submitted the lowest responsible quote, at a cost not to exceed \$2,150.00; and

RESOLVED, that the Trustees authorizes purchase of Survey and Set of Concrete Monuments from Squires, Holden, Weisenbacher and Smith; and be it

FURTHER RESOLVED, that the source of funding shall be Board of Trustees Roads - Road Repairs G/L# SN-99-8791-00-6449-0000 in an amount not to exceed \$2,150.00.

√ Vote Record - Trustees 201	7-TRUS-104				
☐ Adopted☐ Tabled		Yes/Aye	No/Nay	Abstain	Absent
☐ No Action☐ Closed	Edward J. Warner Jr.				
	Scott M. Horowitz				
☐ Reschedule ☐ Adjourned	Eric Shultz				
☐ Acknowledged Signature☐ Adopted as Amended	William Pell IV				
	Bruce A. Stafford				
☐ Defeated					

# XI. Closing